

**REMARKS**

Claims 1-12 are pending in this application. By this Amendment, independent claims 1-12 are amended to even more clearly distinguish over the applied references and for clarity. Support for the amendments to independent claims 1, 6, 7 and 12 can be found at least at page 16, line 12 - page 17, line 8 of Applicant's specification. Claims 2-5 and 8-11 are amended for form and/or clarity. No new matter is added.

Applicant thanks the Examiner for the indication that claim 5 contains allowable subject matter.

The Office Action rejects claims 6 and 12 under 35 U.S.C. §103(a) over Nakamura (EP 1 286 297 A1) in view of Hettich et al. (U.S. Patent No. 5,790,043); rejects claim 1 under 35 U.S.C. §103(a) over Nakamura in view of Hettich and further in view of Mitsumoto (U.S. Patent No. 5,760,701); and rejects claim 7 under 35 U.S.C. §103(a) over Nakamura in view of Hettich and further in view of Funakoshi et al. (U.S. Patent No. 5,861,816). The rejections are respectfully traversed.

Nakamura, Hettich, Mitsumoto and Funakoshi, alone or in any permissible combination, fail to teach and would not have rendered obvious the combination of claimed features of independent claims 1, 6, 7 and 12. For example, the above-applied references fail to teach and would not have rendered obvious "certifying the electronic key based on a detection by an approaching detection sensor and reception of a response signal sent from the electronic key held by a person who intends to start the engine, the response signal sent in response to an initial request signal sent by the approaching detection sensor," as recited in independent claims 1, 6, 7 and 12 (emphasis added).

The Office Action asserts that col. 2, lines 3-16 of Hettich teaches the certification of an electronic key based on the detection of an approaching detecting device (see pages 3, 5, 7 and 13 of the Office Action). However, the cited portion of Hettich merely relates to a lock

module 30 that transmits a control signal after a user sends an unsolicited unlock signal from a key module 10. (See col. 2, line 56 - col. 3, line 12; and Fig. 3 of Hettich). Hettich does not relate to an electronic key being certified based on a user replying to an initial request signal. Therefore, Hettich does not teach the features of independent claims 1, 6, 7 and 12.

For at least these reasons, independent claims 1, 6, 7 and 12 are patentable over the above-applied references. Applicant thus respectfully requests withdrawal of the rejections.

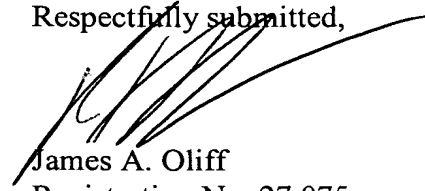
The Office Action rejects claims 2 and 3 under 35 U.S.C. §103(a) over Nakamura in view of Hettich and in further view of Mitsumoto and Sues et al. (U.S. Patent No. 5,229,648); rejects claim 4 under 35 U.S.C. §103(a) over Nakamura in view of Hettich and in further view of Mitsumoto, Sues and Goodman et al. (U.S. Patent Publication No. 2002/0043566); rejects claims 8, 9 and 11 under 35 U.S.C. §103(a) over Nakamura in view of Hettich in further view of Funakoshi and Dension et al. (U.S. Patent Publication No. 2002/0097141); and rejects claims 10 under 35 U.S.C. §103(a) over Nakamura in view of Hettich and in further view of Funakoshi, Dension and Goodman. The rejections are respectfully traversed.

Claims 2-4 and 8-11 variously depend from independent claims 1 and 7. Therefore, claims 2-4 and 8-11 are patentable for at least their dependency on independent claims 1 and 7, as well as for the additional features they recite. Applicant thus respectfully requests withdrawal of the rejection.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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JAO:PTM/axl

Attachment:  
Request for Continued Examination

Date: February 1, 2010

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